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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE UNITED STATES OF AMERICA,)
) 2:18-CR-00049-KJD-PAL
Plaintiff,) (Third Request)
)
vs.)
)
ELISEO GUTIERREZ,)
)
Defendant.)
_____)

FINDINGS OF FACTS

Based upon the pending Stipulation of the parties, and good cause appearing therefore,
the Court finds that:

1. This is the third request for a continuance;
2. That more time is needed to discuss potential plea deals and determine if the matter can be resolved short of trial;
3. That Defendant ELISEO GUTIERREZ is in custody and does not oppose this continuance;
4. That Assistant United States Attorney, SUSAN CUSHMAN does not oppose this continuance;
5. That denial of this request for a continuance could result in a miscarriage of Justice;
6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the current pre-trial motion deadline for five (5) days.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defendants in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice and would deny the defendant continuous treatment as ordered by United States Pretrial Services. The continuance sought herein is

excludable under the Speedy Trial Act, Title 18 United States Code Section 3161(h)(3)(A),
and Title 18 United States Code Sections 3161(h)(7)(A), considering the factors under Title 18
United States Code Sections 3161(h)(7)(B)(i) and 3161 (h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the pre-trial motion deadline is extended to
Monday, October 1, 2018.

DATED this 28th day of September, 2018.


UNITED STATES DISTRICT COURT JUDGE

Respectfully submitted by:



By: /s/ Lance Maningo
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